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## The Mediation Superhighway

By Matilda Bannerman-Richter



Mediation, as a problem-solving vehicle, is hotter than ever and State employees have never had a better opportunity to access mediation to resolve their workplace disputes than now. The State Employee Mediation Program (SEMP) offers quality mediation services that are completely voluntary and confidential, provide prompt resolution of issues, and are free of charge to disputants. SEMP mediators have extensive mediation experience and are well versed in employment issues unique to State of California employees. SEMP mediation offers a struc-

tured, neutral environment for state employees and employers to discuss issues and generate mutually satisfying solutions to workplace disputes that can often interfere with productivity and morale at the office.

The phenomenal success of and positive response to SEMP has prompted the State Personnel Board (SPB) to integrate SEMP into certain Appeals processes. All discrimination and reasonable

*See HIGHWAY, page 3*

## The Information System Analyst Series Exams Are Here!

By Roberta Nishimura & Gina McCann

The long anticipated Information Systems Analyst series examinations were released on August 31st. The series includes tests for the Assistant Information Systems Analyst, Associate Information Systems Analyst (Supervisor and Specialist), Staff Information Systems Analyst (Supervisor and Specialist), and Senior Information Systems Analyst (Supervisor and Specialist).

After many workshops, which included State Personnel Board (SPB) representatives and subject matter experts from various departments, the group developed the new examinations to be a free response narrative supplemental application examination, which can be accessed via the SPB Web site ([www.spb.ca.gov](http://www.spb.ca.gov)). State agencies and the SPB are excited about this new process that will meet all the concerns and needs expressed during the various meetings designed to ascertain the diverse needs of state agencies.

*See EXAMS, page 5*

## News from the Technical Training Program

By Bill Groome

The Technical Training Program is offering the Selection Analyst Training Program (Spring 2002 edition) in Sacramento. The first class in the series, "Job Analysis," will be held January 3 - 4, 2002. Schedule early to guarantee your registration in this and the other classes. We do offer a 5% discount for pre-registration and payment of all twelve classes.

The Selection Analyst Training Program offers a state-of-the-art, comprehensive instructional curriculum for the development of selection analysts. This program provides selection analysts, whether novice or experienced, the opportunity to increase and enhance their selection-related knowledge and skills. The classes have been designed to provide participants with fundamentally sound, legally defensible, innovative means of performing selection-related work. The Selection Analyst Training Program is comprised of the classes listed in the chart to the right.

In addition to the hardcopy of the Schedule of Classes for July 1, 2001 - June 30, 2002, and our Web site at <http://www.spb.ca.gov/spbtrain/>, you can keep apprised of SPB activities, including Technical Training Program classes, at the SPB Outreach Events Calendar Web site at <http://exams.spb.ca.gov/spbcal.htm>. If you prefer to have a hardcopy of the Schedule of Classes for July 1, 2001 -

June 30, 2002, please contact us at one of the numbers listed in this article.

Your suggestions and comments regarding the Technical Training Program are always welcome. To let us know how we can best meet your training needs, contact Bill Groome at (916) 653-1597 or Karen Pack at (916) 653-2085, TDD (916) 654-6336, or at our E-mail address [ttp@spb.ca.gov](mailto:ttp@spb.ca.gov).

To register for upcoming classes please complete an SPB-46 Program Registration form. The form is downloadable from the Web site

in both Microsoft Word format and Adobe Acrobat format at <http://www.spb.ca.gov/spbtrain/registerd.cfm> or call us and we will FAX a blank form to you. FAX your completed Program Registration form to (916) 657-2502 and we will schedule you. We look forward to seeing you in one of our classes soon. ■

Class	Date
WRIPAC Job Analysis Course (2-day class)	January 3-4, 2002
Statistics Made Easy for Personnel Selection	February 5, 2002
Examination Planning	February 14, 2002
Professional Selection & Test Validation	February 20, 2002
Supplemental Applications	March 4, 2002
Developing Interviews	March 11, 2002
Chairing Interview Examinations (3-day class)	April 9-11, 2002
Work Sample and Performance Tests	March 19, 2002
Developing and Using Written Examinations	March 14, 2002
Interpreting Item Analysis	March 15, 2002
Pass Point Setting	March 28, 2002
Scoring Models	April 12, 2002

# On-Line Training

By Gina McCann



Training dates have been set through the month of December 2001 however, they

are always subject to change.

Prerequisites have been established to ensure that a course would be beneficial to an attendee. The prerequisites for taking an On-line Training course are:

- you have your own SCO Log On ID for the On-line system and
- have utilized the system for a minimum of 6 months.

If you are interested in registering for an on-line training course or placing your name on a waiting list for a course, please contact our on-line scheduling coordinator at (916) 653-1517. ■

**The current on-line class schedule is as follows:**

**October**  
22-26 Exam Class

**November**  
14-16 Cert Class  
26-30 Exam Class

**December**  
no Cert Class  
no Exam Class

*HIGHWAY continued from page 1*



accommodation complaint appeals filed with SPB now include an option to request SEMP mediation services while the Board is processing the appeal. If both the appellant and respondent opt to use mediation and it resolves the dispute, the appellant may choose to withdraw the appeal. Most mediation sessions can be scheduled within two weeks of referral to SEMP.

To request mediation, contact SEMP for information about your department's "gatekeeper." A gatekeeper (who is also bound by confidentiality) is the department's point of contact to SEMP. They can answer questions and provide written information about mediation, and assist in finding out if all parties are interested in mediating the issue. If your department does not have a gatekeeper, SEMP can work

with you and your department to discuss mediation as an option.

If your department is not currently a participating department and you think mediation would be a great resource for your organization to explore, SEMP staff are available to make presentations to executive, management, human resources, Equal Employment Opportunity and other staff. We can provide information about the program including how to participate as a department and assistance with getting the program up and running in your organization. We also make presentations to employee representative organizations and have made presentations at the Café de California and BASS training conferences.

If you would like additional information, please call SEMP at (916) 651-9041.

Mediation through SEMP offers a great opportunity for clarifying issues, facilitating communication and assisting in developing creative options for resolution of workplace disputes. And we offer these great options in a timely and confidential manner. So if you are ever in a jam, think about the mediation superhighway. It may be your ticket to a quick and effective resolution of your dispute. ■

## Upward Mobility at SPB



After 23 years of experience with SPB, LAURA AGUILERA was recently promoted to Assistant Executive Officer.

KAREN COFFEE recently returned to the State Personnel Board to assume the position of Chief, Personnel Resources and Innovations Division.

MIKE WILLIHNGANZ was just promoted to serve as SPB's Chief of the Policy Division. ■

Left to right: Laura Aguilera, Mike Willinghamz, and Karen Coffee.

## Welcome to the Board...

3/1/01	Joan Allison	From Dept of Health Services
7/18/01	Katrina Hollingsworth	From Water Resources
7/1/01	Karen Coffee	From Youth Authority
7/23/01	Jonnie Dominguez	New to State Service
7/23/01	Carl Yeager	New to State Service
8/1/01	Maria Flores	From Health Services
7/16/01	Elizabeth Montoya	From Caltrans
8/20/01	Vickie Ryan	From Developmental Services-Agnews
8/1/01	Cecile Freeman	From Dept of Consumer Affairs
7/25/01	Tamara Lacey	From Dept of Motor Vehicles

## So long to...

Marlene Hammit	Transferred to Department of Consumer Affairs
Terry McLeski	Transferred to State Controllers Office
Charlene Ellis	Transferred to Caltrans
Darcy Sells	Transferred to Employment Development
Christina Peeler	Separated State Service
Sharon Straub	Retired
Carolyn McMillen	Retired
Jessica Valdez	Transferred to Department of Education
Nora Yarbo	Transferred to Department of Social Services

## Hot Jobs Make a Cool Video

By Evan Gerberding



Some of the more provocative and challenging careers within State government are promoted in SPB's latest video production, "Hot Jobs." Thirteen different careers are highlighted, including Park Rangers, Engineers, Social Workers, Highway Patrol Officers and Firefighters. Some of the classifications were chosen because of vacancy problems; others were picked for their uniqueness. The 9-minute video will be shown at recruitment events and employment offices to market the wide variety of employment opportunities within State government.

Actual State employees, as opposed to actors, were cast in the production. Each of them performed exceptionally well on camera and articulately described what they love about their jobs.

In addition to the 9-minute version of this recruitment video, a series of public service announcements were also produced from the same footage. SPB plans to broadcast these 30-second spots on television stations across California.

SPB received enthusiastic support in lining up spokespersons for the video from a number of departments, including the Governor's Office of Emergency Services, the Department of Forestry, the Department of Corrections, the Division of the State Architect, Department of Social Services, Health Services, the Department of Justice, Food and Agriculture, California Highway Patrol, Department of Information Technology, Caltrans and California State Parks.

Copies of the video will initially be mailed to departments and additional copies can be ordered at a cost of \$25.00 each by contacting Evan Gerberding at (916) 657-2904. ■

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*EXAMS continued from page 1*

Candidates apply and take the examination via the Internet. While on-line, candidates complete an application; a minimum qualifications review is completed based on the information submitted by the candidate. Qualified candidates then answer a series of questions, which they can review and prepare responses for, prior to completing the on-line examination. In addition, candidates complete a skills inventory which will allow them to specify their areas of information technology expertise to assist departments in making the best job-person match.

Log on and take a look. If you have questions, please contact the SPB Examination Services Unit at (916) 653-1502. ■

## Court of Appeal Preserves Data-Gathering and Inclusive Outreach; Invalidates Goals and Timetables

By Elise Rose



The Third District Court of Appeal issued its opinion in the case of Connerly v. State Personnel Board, et al. At issue

were the affirmative action provisions of the State Civil Service Act contained in Sections 19790 and 19799 of the Government Code, as well as statutory provisions of several other state agencies.

### Data Gathering

In its decision, the Court upheld the State Personnel Board's statutory authority to collect and report data regarding representation of minorities and women in state service. The Court found generally that programs that collect and report data concerning the participation of women and minorities in government programs do not violate equal protection principles. So long as the program does not discriminate against or grant a preference to an individual or group, the program does not violate Proposition 209 either.

With respect to the Board's affirmative action program, the Court found that statistical anomalies do not alone justify a finding of discrimination, but recognized that examination of data could indicate the need for inquiries into:

- Whether there has been prior discrimination in hiring;

- The need to evaluate applicable hiring criteria to assure they are job-related and do not arbitrarily exclude members of an underutilized group; and
- The need for inclusive outreach efforts to ensure equal employment opportunity.

In reviewing the Department of General Services' contracting statutes, the court further commented on the right of the Legislature to receive data on participation of minorities and women in state programs to determine:

- Whether specific discrimination is occurring;
- Whether race and gender-neutral remedies are needed;
- Whether an inclusive outreach scheme is necessary; and
- Whether no further legislative action is necessary.

### Outreach

Regarding outreach generally, the court noted that the "interest of a competitor is in being able to compete on an equal footing without regard to race or gender of other competitors." The court further noted that a competitor does not have an interest in limiting the pool of applicants with whom he or she must compete. Outreach programs designed to "broaden the pool of applicants" without reliance on race or gender

are acceptable; but, if the program discriminates against or grants a preference to minorities or women, it is prohibited by Proposition 209. In discussing the Community College outreach program, the court specifically disapproves of "focussed outreach," but supports "inclusive outreach."

### Goals and Timetables

The Court struck down, however, the establishment of goals and timetables [Government Code sections 19790 and 19792(e)] as violating both the equal protection clause of the Fourteenth Amendment of the United States Constitution and California's Proposition 209, finding that establishment of a goal is the establishment of a hiring preference for purposes of both the equal protection clause and Proposition 209. Citing United States Supreme Court precedent, the Court noted that while statistical underutilization may serve as "significant evidence of prior discriminatory hiring practices, it is not conclusive and is not, in itself, proof of discrimination." Therefore, the Court concluded, "statistical anomalies, without more, do not give a governmental entity the legal authority to employ racial and gender classifications."

### Layoff Provisions

Finally, the Court found that Government Code section 19798, which authorizes the Board, when it finds evidence of past discrimination, to alter the order of layoff to maintain

## Decision on Competitive Examinations

By Elise Rose

The Court of Appeal, Third District, issued a published decision July 12, 2001, rejecting various constitutional challenges to the Career Executive Assignment, including arguments that the CEA statutes create an impermissible “special system within the civil service system or violated restrictions on temporary appointments” within state service.

Following their earlier published decision in *Alexander v. State Personnel Board*, the court held that the Board’s old CEA regulation (which has been since amended to comply with *Alexander*) violated the constitutional requirement that civil service appointments result from “competitive examination” because it allowed for CEA selection by examination without scoring and ranking. The court held that transfers from one CEA position to another are valid, but held that transfers from a non-CEA position into a CEA position are not valid and must be made by competitive examination. Justice Scotland, dissenting, would affirm the judgment in its entirety, disagreeing that scoring and ranking are necessary components of a competitive examination and disagreeing that transfers from non-CEA to CEA positions require a competitive examination. *Professional Engineers in California Government, et al v. State Personnel Board*.

PECG has sought review by the California Supreme Court, but the Court has, at the time of this printing, not acted on PECG’s request.

The entire case can be viewed at: [www.courtinfo.ca.gov/opinions/documents/C028402.doc](http://www.courtinfo.ca.gov/opinions/documents/C028402.doc) (Word format)  
[www.courtinfo.ca.gov/opinions/documents/C028402.pdf](http://www.courtinfo.ca.gov/opinions/documents/C028402.pdf) (Adobe Acrobat format.) ■

## Board Precedential Decisions

By Bruce Monfross

Precedential Decisions are those decisions issued by the State Personnel Board that it deems to be of particular significance concerning the manner in which the Board interprets the civil service laws relating to adverse actions, rejections during probation, medical actions, and other matters that it reviews at evidentiary hearings. The Board will designate a decision as “precedential” in order to, among other things, clarify existing law, provide guidance in taking personnel actions, promote uniformity in discipline, provide guidance as to employee rights, and to provide a basis for settlement.



SPB Dec. No. 01-01

In this Decision, the Board granted appellant’s request for reasonable accommodation, but only insofar as to require the parties to engage in a good-faith interactive process to determine whether a mutually acceptable accommodation is possible. The Board also granted appellant’s appeal from medical demotion, finding that the Department failed to engage in the interactive process prior to taking the medical demotion.

Appellant, an Artist Facilitator with the Department of Corrections, suffers from asthma, and complained that fumes from the artist studio where she worked exacerbated her symptoms. Department representatives worked with appellant to determine the cause of her problems in the studio, and over a few months time made arrangements to purchase equipment to improve the air quality in the studio. During this period of investigation, appellant was placed off-work by her doctor, but was eventually allowed to return to work with the restriction that she not work in the art studio. She was subsequently placed in light duty assignments elsewhere in the prison. Appellant felt she should have been allowed to continue in her Art Facilitator position

## TV&C Corner

By Shelley Langan



### TV&C Welcomes New Staff Members and Bids Adieu to an Old Friend...

TV&C is pleased to announce the addition of its newest staff members, Hilary Tuttle and Karl Jaeger. Hilary joins TV&C as a permanent Test Validation and Development Specialist. Hilary is currently completing her Master's degree in Industrial/Organizational Psychology at CSU, Sacramento.

Prior to accepting her permanent assignment, Hilary worked for the past year as a Graduate Student Assistant with TV&C, performing a variety of test development and validation activities. Karl comes to TV&C with a consulting background, having experience developing and validating selection processes and conducting training. In addition to his work experience, Karl brings expertise to the TV&C Unit in the form of his Master's degree in Industrial/Organizational Psychology from the University of Akron. Please join us in welcoming Hilary in her new assignment and Karl as the newest member of TV&C!

TV&C offers sincere congratulations to Mike Willihnganz as he leaves his role as the Manager of TV&C for his new role as SPB's Policy Division Chief. Mike has been instrumental in bolstering TV&C's contributions to the State's selection system, and his expertise will be greatly missed. Congratulations, Mike – you're missed already!

### FREE Publications and Resources Available...

TV&C continues to offer a medley of technical resources and materials on a variety of assessment-related topics. Here is a brief listing of available materials:

- TV&C's monograph series - Getting Technical with TV&C...
- Summaries of the *Uniform Guidelines on Employee Selection Procedures*, the *Standards for Educational and Psychological Testing*, and the *Principles for the Validation and Use of Personnel Selection Procedures*
- *Guidelines for Developing and Conducting Structured Hiring Interviews*
- TV&C's *Bibliography of Assessment-Related References*
- A variety of tutorial documents explaining the use and interpretation of examination statistics, including item analysis data and bottom line hiring statistics

To access any of these materials, simply visit TV&C's webpage at <http://www.spb.ca.gov/tvchome.htm> or contact any TV&C staff member.

### Upcoming Professional Development Opportunity...

The International Personnel Management Association's Annual Training Conference will be held October 14-18, 2001, in Nashville, Tennessee. For information regarding this event, visit IPMA's Web site or call (703) 549-7100.

### TV&C Staff Support...

TV&C staff continue to be available to assist you with a variety of testing and selection topics, so if you have questions, concerns, or issues with which we can assist, please don't hesitate to call upon us – we are only a phone call or e-mail message away! ■

Shelley Langan (916) 654-8538

[slangan@spb.ca.gov](mailto:slangan@spb.ca.gov)

Mabel Miramon (916) 653-1401

[mmiramon@spb.ca.gov](mailto:mmiramon@spb.ca.gov)

Robin Bogdanich (916) 654-6341

[rbogdanich@spb.ca.gov](mailto:rbogdanich@spb.ca.gov)

Karl Jaeger (916) 653-1143

[kjaeger@spb.ca.gov](mailto:kjaeger@spb.ca.gov)

Hilary Tuttle (916) 651-6690

[htuttle@spb.ca.gov](mailto:htuttle@spb.ca.gov)

Nicole Vaillancourt (916) 651-8974

[nvaillancourt@spb.ca.gov](mailto:nvaillancourt@spb.ca.gov)

TV&C webpage address:

<http://www.spb.ca.gov/tvchome.htm>

## Congratulations from TV&C

Looking back to the July issue of *Shared Solutions*, TV&C would like to thank its Word Search players. Congratulations to our winners:

### Janie Becker

California Science Center

Winner of one *SPB Selection Analyst training course*

### Debey Babineau

Student Aid Commission

Winner of a *Getting Technical with TV&C... binder* stocked with every issue in this monograph series

### Cecille Rameriz

Department of Insurance

Winner of a free copy of TV&C's *Development and Use of Structured Employment Interviews* manual

Continuing in our tradition, TV&C has come up with another puzzle for your gaming pleasure. See the last page of this issue of *Shared Solutions* to find our latest puzzle – and, good luck! ■

## Test Talk

### A Professional Development Program

By Shelley Langan



TV&C continues to offer *TestTalk*, a program of lunch hour drop-in sessions and half-day seminars providing testing

professionals with opportunities to expand their testing expertise, share ideas, and network with other testing professionals. The final *TestTalk* session of 2001, scheduled for November

12th, will feature a dynamic presentation entitled "Recruiting and Retaining Gen Xers." This session is not to be missed!!

*TestTalk* sessions are FREE and available to anyone interested. The sessions are held at the State Personnel Board, 801 Capitol Mall, Room 150. No registration is necessary to attend any of the sessions – simply join us! For more information on this program,

contact Shelley Langan at (916) 654-8538 or by e-mail at [slangan@spb.ca.gov](mailto:slangan@spb.ca.gov).

Currently under development is the 2002 *TestTalk* schedule which will be published later this Fall. Please watch for our exciting plans for the coming year. ■

*COURT continued from page 6*

the racial and gender composition of the affected work force, is not facially invalid under equal protection principles. The Court went on to say, however, that the statute would violate the more restrictive Proposition 209 unless failure to employ the process set forth in the statute would result in loss of federal funds or unless federal law required the use of the statutory scheme.

#### What's Next

The respondents and real parties in interest may file a Petition for Rehearing 15 days from the date of the issuance of the court's decision or a petition for review by the California Supreme Court within 40 days. A granting of a petition for rehearing or a petition for review would result in the vacating and depublishing of the Court of Appeal Decision. Absent either of the above moves, the Decision of the Court of Appeal becomes final 30 days from the date of its issuance.

Internally, we at the State Personnel Board are preparing a full analysis of existing laws and rules in light of the decision for Board review and for staff recommendations as to what additional changes may need to be made to our statutes and regulations as well as to current policies.<sup>1</sup> We will be notifying departments as to their obligations to continue to gather data and report that data to the State Personnel Board as well as to comply with both state and federal equal opportunity laws and rules.

The full decision of the Court is 82 pages and is available online at <http://www.courtinfo.ca.gov/opinions/documents/C032042.PDF>. ■

<sup>1</sup> As of today, SB 1161 and SB 1191, which modify some provisions of the State Civil Service Act have not yet been enacted into law.

*DECISIONS continued from page 7*

from another office in the prison. After a month or two working in light duty assignments, appellant left work on a doctor's note, sought workers' compensation benefits and has not been back to work since.

Appellant subsequently filed a claim for reasonable accommodation, demanding that she be allowed to continue working as an Artist Facilitator, but that either the art studio be moved to another area of the prison, or her own private office within the studio be moved to another area and she be allowed to work solely from that office. Both the Department and appellant exchanged a few letters, but no meaningful interactive process occurred between the parties concerning the reasonable accommodation request. The

was not able to work, he is, nonetheless, entitled to backpay for that period of time during which he was denied his due process rights. The decision finds that the appropriate period for backpay was from when appellant's leave pay was terminated until when he began receiving disability retirement benefits from PERS.

After an incident in the workplace, the Department of General Services placed appellant on paid leave. While he was on paid leave, appellant was sent for a fitness for duty examination. After the doctor opined that appellant was not fit for duty, the Department sent appellant an options letter that informed appellant that his pay would cease and he had to pick an option for terminating his employment. Appellant filed a constructive medical

Appeal's decision, the parties asked the Board to rule on whether and to what extent appellant may now be entitled to backpay.

#### SPB Dec. No. 01-03

In this decision, the Board finds that, before the County could terminate appellant for inadequate job performance, it had to explore with her, through a flexible interactive process, whether it could reasonably accommodate her disability. Because the County failed to engage in an interactive process with appellant to determine whether it could reasonably accommodate her disability before it dismissed her, the Board revokes appellant's dismissal, orders her reinstated with backpay, and orders the County to initiate an interactive process with appellant to determine how best to reasonably accommodate her disability.

This decision specifically disapproves of the Board's precedential decision in Lolita Gonzales (1994) SPB Dec. No. 94-13, insofar as it asserts that an employee can, in all instances, be disciplined for performance inadequacies even if those inadequacies were caused by a disability.

Appellant, a Social Worker with Merced County, was dismissed for failing to perform the required minimum number of referrals and for failing to record the referrals she did make onto the County's computer system. Appellant did not dispute that she had engaged in the alleged misconduct. Instead, she asserted that she was unable to perform all her job responsibilities because of her recently diagnosed disability. ■



Department ultimately denied appellant's request, and medically demoted her to the position of Business Service Officer, on the grounds that she could no longer perform the essential functions of an Art Facilitator.

#### SPB Dec. No. 01-02

In this Decision concerning the amount of backpay due an appellant, the Board determines that, even though appellant

termination appeal with the Board. The Board denied appellant's appeal, and the appellant filed a writ petition with the superior court. Both the superior court and the First District Court of Appeal found that that Department had denied appellant his due process rights guaranteed by Skelly when it ceased paying him without first offering him notice and an opportunity to be heard. After receiving the Court of

## Whom Should I Contact?

Subject	Contact Person	Phone	E-Mail
Access to Item Bank or Exam Library	Mare Tennison	654-5844	mtennison@spb.ca.gov
Access to On-Line Cert/Exam & Exam Service	Rosemarie Lopez	653-0904	rlopez@spb.ca.gov
Appeals Information		653-0544	
Bilingual Services	Juana Lopez-Rodriguez	653-1721	jlopez-rodriguez@spb.ca.gov
CEA Allocations, Non-hearing Board Calendar, Resolutions	Pat Embly	657-2389	pembly@spb.ca.gov
CEA Examination Recordings	Irene Riego	653-1705	iriego@spb.ca.gov
Cert, List Usage & Veterans Points	Charlotte Robinson	651-8973	crobinson@spb.ca.gov
Civil Rights Office	Ted Edwards	653-1276	tedwards@spb.ca.gov
Contracts	Jerry Donel	653-1717	jdonel@spb.ca.gov
Demonstration Projects	Elizabeth Montoya	654-0842	emontoya@spb.ca.gov
Employment Center	Irene Riego	653-1705	iriego@spb.ca.gov
Illegal Appointments	Daphne Baldwin	653-1529	dbaldwin@spb.ca.gov
Information Technology Access & Scanning Services	Victor Mendoza	653-6234	vmendoza@spb.ca.gov
Internet Testing	Daisy McKenzie	653-1232	dmckenzie@spb.ca.gov
LEAP, ADA	Sandra Estrada	653-1262	sestrada@spb.ca.gov
On-Line Printer Problems	Gary Janney	653-1733	gjanney@spb.ca.gov
Policy Issues on: Exams, Re-employment, Status – Misc. Appointments, Separations, Transfers, Reinstatements (including CEAs and Exempts), Probationary Periods, Backdates, T&Ds, TAU's, Range Changes	Rosie Jauregui	653-1827	rjauregui@spb.ca.gov
Pre-employment Drug Testing	Rosie Jauregui	653-1827	rjauregui@spb.ca.gov
Psychological Screening	Sue Lupinetti	653-1258	slupinetti@spb.ca.gov
Quality Assurance	Martha Esmael	657-2654	mesmael@spb.ca.gov
Recruitment	Debbie Santos-Silva	653-7325	dsantos-silva@spb.ca.gov
Registration for On-Line Cert/Exam Training	Shaney Westner	653-1502	swestner@spb.ca.gov
Registration for Technical Training	Karen Pack	653-2085	kpack@spb.ca.gov
Reimbursable Exam Services	Daisy McKenzie	653-1232	dmckenzie@spb.ca.gov
Rulemaking	Vacant	654-0842	
Selection & Policy Manuals Orders & Subscriptions	Janice Langford	657-2654	jlangford@spb.ca.gov
Technical Training Program	Bill Groome	653-1597	bgroome@spb.ca.gov
Test Validation & Construction	Shelley Langan	654-8538	slangan@spb.ca.gov

## 12th Annual Refugee Conference

By Juana Lopez-Rodriguez

SPB was proud to be a co-sponsor and participant of the 12th Annual Refugee Conference held in San Diego August 28 – 31, 2001, at the San Diego Marriott and Marina. The Conference was sponsored by the Department of Social Services and well attended by more than 400 community-based organization leaders from throughout California and other states. The theme of the Conference was "Achievements and Contributions of Refugees," and gave the opportunity to acknowledge positive deeds achieved by the refugee community.

California has approximately one million refugees throughout the state who have entered since 1979. The largest refugee groups are now coming from the former Soviet Union, Southeast Asia, and the former Yugoslavia.

The intent of the Conference was to have the refugee leaders attend various workshops and take the informa-

tion to their communities to continue the process of achieving success. A total of 27 workshops were offered, including "How to Get a Job with the State."



SPB exhibited and distributed information on current job openings, LEAP information and other valuable employment tools, and showed a video highlighting many of the great jobs offered by the state.

SPB also offered a workshop that covered how to get a job with the

state, how to read a job announcement, the job specification, benefits, disabled persons issues, and how the Internet is the ultimate tool to assist in obtaining a job with the state.

The California Highway Patrol, Department of Health Services, California Conservation Corps, and the Department of Housing and Community Development were also present at the workshop to provide their own point of view on the hiring process. Fourteen state agencies shared information regarding their services and employment opportunities.

If you would like information on how you can share your public services with the refugee community at next year's Conference, please contact Linda Estelle, Community Information Officer within Community Relations, at the Department of Social Services at (916) 657-2648. ■

## LEAP Program growing by Leaps and Bounds!

By Beverly Foreman

SPB leaped into the year 2001 with exams for Environmental Specialist I, Laboratory Assistant, and Energy Analyst. Also just released are continuous LEAP exams for Computer Operator, Programmer I, and Information Systems Technician.

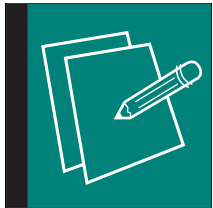
Continuous exams for the Office Assistant (Typing and General) and a new addition, Office Technician (Typing and General) are also available for LEAP candidates. Other new additions to LEAP classifications include the Staff Services Analyst (General), Accounting Technician, and Assistant Information Systems Analyst.

Another brand new release is the LEAP Staff Services Analyst (General) bulletin. November 2001, look for Accountant Trainee and Auditor I bulletins as well as a projected release for Word Processing Technician in January 2002.

We encourage Personnel Officers to utilize the eligibility lists for these LEAP classes in achieving their goals of increasing the disabled representation in their departments. For additional information about the LEAP examination process or assistance, feel free to contact Beverly Foreman, Examination Services, (916) 651-6950, TDD (916) 654-6336. ■

# The 2001–2002 Dymally–Alatorre Bilingual Services Language Survey

By Juana Lopez-Rodriguez



The SPB unveiled the 2001–2002 biennial language survey on-line reporting system which will allow

departments to report their public contacts directly to SPB's database. The language survey is mandated by the Government Code Section 7290–7299.8 Dymally–Alatorre Bilingual Services Act (Act). State departments must survey their public contact positions every two years by having staff participate in a two non-consecutive week period where they tally their public contacts. Departments participate in the language survey to determine:

- The number and percentage of public contacts received by State agencies by language;
- The number of positions with public contacts responsibilities in each unit and the classifications of such positions;
- The number of certified bilingual employees in positions having public contact responsibilities using second language skills;
- The number of anticipated vacancies and appointments to public contact positions during the year following each survey;
- The extent to which contracted telephone-based interpretation services are being used to serve the lan-

guage needs of the limited English Proficient (LEP) public and;

- The number of bilingual hiring commitments the state agency has identified for each local office with at least 5% of the non-English speaking contacts per unit. State agencies must include an explanation of how equal the level of service will be provided in those offices with less than 5% but with a substantial number of non-English speaking contacts.

The language survey on-line reporting system is user friendly and is accessible through Internet access. This is an improvement to past survey periods with departments using a diskette issued by SPB to capture their survey data. Departments' language survey coordinators can log-on to the language survey database via SPB's homepage ([www.spb.ca.gov](http://www.spb.ca.gov)). By having the language survey on-line, it will allow all departments to be consistent in their reporting process and eliminate potential problems. The instant a department submits their data, SPB can begin the process of analyzing the data for preparation for the language survey Legislature's report.

Department's have a deadline of March 31, 2002, to submit their language survey data and their bilingual services departmental action plan. The bilingual services action plan outlines how departments comply with the Act; will correct any bilingual deficiencies

identified in the language survey; the volume of translations they produce to be in compliance with the Act; and other pertinent information needed to understand their bilingual services program.

The SPB may exempt state agencies participating in the survey if the agency does not furnish information or render services to the public; or if the agency has consistently received such limited public contact with the non-English speaking public that it has not been required to employ bilingual staff. In order to receive an exemption, each state agency must annually petition the SPB for the exemption and receive approval in writing. An agency may not receive an exemption for more than three consecutive years. Once SPB receives the survey information, it will analyze it and prepare a report for the Legislature.

Departmental language survey coordinators are encouraged to contact SPB Bilingual Services staff at any time for guidance to make this a successful survey. If you do not know the name of your departmental language survey coordinator, please call the Bilingual Services Program at (916) 651-9017. ■

Questions, comments

or suggestions about

*Shared Solutions* can

be directed to:

**Evan Gerberding**

Phone: (916) 657-2904

E-mail address:

[egerberding@spb.ca.gov](mailto:egerberding@spb.ca.gov)

## Californians Met the Energy Challenge This Summer; Fall and Winter Will Test Our Commitment

Congratulations and thanks to every Californian who contributed to the state's success in meeting the energy challenge this summer!

Your commitment to conservation played a major role in preventing rolling blackouts.

This year, SPB and other state offices significantly cut electricity use from January through the end of August compared to the same period in 2000. For example, in monitoring 37 of the state's largest office buildings covering nearly 12 million square feet, the Department of General Services, has recorded an average 22.4 percent drop in electricity use. Despite hikes in utility rates, the state was still able to save more than \$800,000 in cities such as Sacramento, Los Angeles, San Francisco, Oakland, San Diego, Van Nuys, and Riverside.

While the state has made extraordinary progress in bringing new power generation on line, the threat of shortages remains real. Conservation, both now and for the long term, will continue to be an important part of the strategy to keep the lights on.

Fall and Winter months present challenges just as tough as the Summer months. There are increased demands for power across the state for lighting, heating and other priorities. So we cannot let our guard down just because the seasons have changed.

Review the next page for some practical cool weather tips from the Flex Your Power Web site that will help all of us continue to save power, save money, and keep electricity flowing to all California communities. ■



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Set your thermostat to 68 degrees when you're home and 55 degrees at night, or when you're away.



### Use Your Appliances Weekly

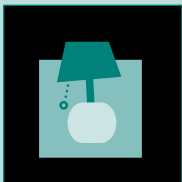
Turn off appliances, lights and equipment when not in use.

- To help prevent electricity outages, do not run large appliances between 5 a.m. – 9 a.m. and 4 p.m. – 7 p.m.
- Do your laundry efficiently by using the warm or cold water setting for washing your clothes and always use cold water to rinse clothes.
- Conserve energy by running your dishwasher only when it is fully loaded, and turn off the dry cycle to allow dishes to air dry instead.



### Inexpensive Energy Solutions

- Choose Energy Star® products. Purchase compact fluorescent light bulbs. They use a quarter of the energy and last five to ten times longer than conventional light bulbs.
- Reduce your hot water temperature. Set your water heater to the "normal" setting or 120 degrees unless the owner's manual for your dishwasher requires a higher setting.
- Replace furnace filters once a month. Dirty filters restrict airflow and increase energy use. Keep your furnace clean, lubricated and properly adjusted.
- Install low-flow showerheads. You'll be surprised how much this simple device can cut your hot water costs. Wrap your hot water tank with jacket insulation. If your water heater is gas, be sure to leave the air intake vent uncovered.



### Eliminate Wasted Energy

- Turn off lights in unoccupied rooms.
- Unplug electronic devices and charges when they're not in use.
- Close the damper on your fireplace when you're not using it.
- Unplug that spare refrigerator in the garage if you don't really need it.



Check out [www.flexyourpower.ca.gov](http://www.flexyourpower.ca.gov) for more information and ways to save money!

## TV&C's Name Those Resources...

TV&C presents its latest game which will call on your research resource expertise! Listed below are key resources to the assessment profession – must-haves for any selection professional's library. For each resource, simply unscramble the words to complete the title. You have been provided with the author's(s') name(s) to assist you in completing the titles. (Should you discover any resources not currently in your library, you may wish to welcome them as your latest additions!) Submit your completed puzzle to TV&C to be entered in a drawing to win one of our fabulous prizes, again selected with care by the TV&C staff. All winners will be selected randomly from the pool of correct entries.

### Name Those Resources...

PIDLEAP TENAMERUSME DHMSEOT NI LTAINSDRIU SHOLPGYOYC

*Edited by Deborah Whetzel and George Wheaton*

DIPALPE YOHSYCPGLO NI NAUMH URSCEEOR GANEMMATNE

*By Wayne Cascio*

SMTSANESSES, TUREAMNSEEM, DNA NTDPECOIRI OFR NLRPOENE CSDINESIO

*By Robert Guion*

SHOYPGOACCLL SGTENTI

*By Anne Anastasi and Susana Urbina*

FTSAGNIF NGTIZORASNOIA

*By Herbert Heneman III, Timothy Judge, and Robert Heneman*

### PRIZES:

- A free registration for a one-day SPB Selection Analyst training course
- A free *Getting Technical* with TV&C ...binder stocked with every issue in TV&C's monograph series
- A free copy of TV&C's *Development and Use of Structured Employment Interviews* manual

Entries must be received by November 1, 2001. Prize drawing will be held during the week of November 5, 2001.

Send your completed entry to:

State Personnel Board  
Test Validation and Construction Unit  
Name Those Resources Game  
801 Capitol Mall, ms-37  
Sacramento, CA 95814  
Or fax to: (916) 653-1353

Be sure to complete and submit the following information with your entry:

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Department: \_\_\_\_\_

Department Address: \_\_\_\_\_